

## CITY COUNCIL RESOLUTION NO. 11-\_\_\_\_\_

A RESOLUTION FOR CERTIFICATION OF AN ENVIRONMENTAL IMPACT  
REPORT, ADOPTION OF FINDINGS OF FACT & STATEMENT OF OVERRIDING  
CONSIDERATIONS AND ADOPTION OF A MITIGATION MONITORING  
PROGRAM FOR THE BALTIMORE RAVINE SPECIFIC PLAN AND STUDY AREA  
PROJECT

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THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY FIND, RESOLVE  
AND ORDER AS FOLLOWS:

SECTION 1. The City Council held a properly noticed public hearing at its regular meeting of February 28, 2011 to consider the Baltimore Ravine Specific Plan (BRSP) and Study Area project, which is proposed for the 406-acre Urban Reserve area situated in southwest Auburn. The proposal includes certification of the project Environmental Impact Report (including the Final EIR, Mitigation Monitoring Program, and the Findings of Fact and Statement of Overriding Considerations), adoption of a Specific Plan (the BRSP), adoption of a General Plan Amendment, approval of a Rezone, approval of a Large Lot Tentative Subdivision Map, approval of a Development Agreement, and adoption of Statement of Reasons for Permitting Development within a Mineral Resource Zone.

SECTION 2. The City of Auburn City Council has considered all of the evidence submitted into the administrative record including:

1. The appeal application submitted by Mark Smith dated November 24, 2010.
2. Agenda reports prepared by the Community Development Department for the January 13, 2011 and February 28, 2011 City

Council meeting and for the December 15, 2009, July 13, 2010, September 21, 2010, November 16, 2010, February 1, 2011, and February 15, 2011 Planning Commission meetings.

3. Staff presentations at the public hearings held on January 13, 2011 and February 28, 2011.
4. The Notice of Preparation (NOP) prepared for the Project (December 2007).
5. The NOP prepared for the Project (January 2009).
6. The Addendum to the 2009 NOP (April 2009).
7. All comments submitted by the public during the public comment period on the NOP's.
8. All public notices in conjunction with the Project.
9. The Draft EIR (DEIR).
10. All comments submitted by the public during the public comment period on the DEIR.
11. The Final EIR (FEIR) for the Project.
12. The Findings of Fact and Statement of Overriding Considerations for the Project.
13. The Mitigation Monitoring Program (MMP) for the Project.
14. All findings and resolutions adopted by the City in connection with the Project.
15. All reports, studies, memoranda, maps, and other planning documents relating to the Project prepared by the City, the City's consultants, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project.
16. All documents submitted to the City by agencies or members of the public in connection with the Project.

- 1 17. Any minutes or transcripts of public meetings held by the City for  
2 the Project.
- 3 18. Matters of common knowledge to the City, including, but not  
4 limited to federal, state, and local laws and regulations.
- 5 19. Public comments, written and oral, received and/or submitted at or  
6 prior to the public hearing, supporting and/or opposing the  
7 applicant's request.
- 8 20. The City of Auburn General Plan, Zoning Ordinance, and all other  
9 applicable regulations and codes.
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11 SECTION 3. On January 13, 2011, the Auburn City Council denied the  
12 appeal filed by Mark Smith against the certification of the project  
13 Environmental Impact Report (including the Final EIR, Mitigation Monitoring  
14 Program, and the Findings of Fact and Statement of Overriding  
15 Considerations) prepared for the Baltimore Ravine Specific Plan and Study  
16 Areas project.

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18 SECTION 4. In review of all the foregoing evidence, the Auburn City  
19 Council finds that the Planning Commission properly made all applicable  
20 findings and all applicable provisions of the municipal code have been  
21 complied with.

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23 SECTION 5. The City of Auburn City Council hereby adopts the Findings  
24 of Fact and Statement of Overriding Considerations prepared for the  
25 Baltimore Ravine Specific Plan and Study Areas project, attached hereto as  
26 Exhibit A to this resolution, and incorporated by this reference as if set forth  
27 fully herein.

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1        SECTION 6. The City of Auburn City Council hereby certifies the  
2 Environmental Impact Report prepared for the Baltimore Ravine Specific Plan  
3 and Study Areas project.  
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5        SECTION 7. The City of Auburn City Council hereby adopts the  
6 Mitigation Monitoring Program (MMP) prepared for the Baltimore Ravine  
7 Specific Plan and Study Areas project, which is incorporated as part of the  
8 EIR.  
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10       SECTION 8. The time in which to seek judicial review of this decision  
11 shall be governed by Code of Civil Procedure Section 1094.6. The City Clerk  
12 shall certify to the adoption of this resolution, transmit copies of the same to  
13 the applicant and his counsel, if any, together with a proof of mailing in the  
14 form required by law and shall enter a certified copy of this resolution in the  
15 book of resolutions of the City.  
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17 DATED: February 28, 2011  
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William W. Kirby, M.D., Mayor  
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22 ATTEST:  
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Joseph G. R. Labrie, City Clerk  
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1 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify  
2 that the foregoing resolution was duly passed at a special meeting of the City  
3 of Auburn City Council held on February 28, 2011 by the following vote on  
roll call:

4 Ayes:  
5 Noes:  
6 Absent:

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8 Joseph G. R. Labrie, City Clerk  
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